
Posted on Mon, Feb. 10, 2003

INS must not deport green card fraud victims

MY VIEW: By Manny Diaz

MY mother, who immigrated to America in search of a better life, taught me that living in this country is a privilege that should be cherished and respected.

That is why, as a state legislator, and more importantly, as an American citizen, I find it so deeply troubling that hundreds of hard-working immigrants have been threatened with deportation as a direct result of corruption within the Immigration and Naturalization Service.

Many of these immigrants are professionals from the Bay Area, including scientists, doctors, engineers and business owners, and most of them are Korean. They all had the unfortunate luck of having their green cards processed by a corrupt government official, INS supervisor Leland Dwayne Sustaire, who admitted to accepting bribes to the tune of \$500,000 for issuing 275 fake green cards during his tenure.

In a terrible travesty of justice, Sustaire has managed to avoid jail time in exchange for testimony implicating his cronies, while the victims of his scheme are now being threatened with deportation. To add to the devastation, many of these immigrants have no documentation because hundreds of their immigration files were burned by Sustaire.

As an elected official, I can not stand idly by while the INS bungles yet another situation and tears apart the lives of hundreds of families. Residents of this country, who played by the rules, and through no fault of their own were victims of greedy government officials, should be given a fair opportunity to prove their innocence.

H.D. Kim, a Korean immigrant, who is a Silicon Valley engineer, says he has built a new life for his wife and three children in the Bay Area. He knew nothing about Sustaire's scheme, but his life has been turned upside-down by it.

It is time for the INS to own up to its part in the Sustaire scandal. Instead of issuing blanket deportations more than a decade after the fraudulent green cards were issued by one of their own, the INS should be the subject of an exhaustive external review to determine how this corruption was allowed to occur in the first place.

Because justice has not been served by the INS thus far, I am introducing a resolution with my colleague, Assemblymember Carol Liu, to demand that the agency provide a fair process whereby each of the 275 immigrants is given a case-by-case review before any deportation proceedings begin.

We have also followed the lead of U.S. Representatives Mike Honda and Zoe Lofgren in asking for federal intervention by the U.S. attorney general's office. California's leaders share a common interest in preventing future corruption of this magnitude and we will continue to work together at the federal and state levels to get to the bottom of this.

The buck stops here. These 275 families cannot be forced to pay for the sins of a dishonorable few. And the INS, as a result of its own corruption from within, must not be allowed to deport the people whom it is supposed to serve and protect without a fair and unbiased review. It is simply not the American way.

Manny Diaz is a Democratic Assemblyman from San Jose, representing the 23rd District.

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